

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JIM DESMOND

Case No.: 09-034-GLL

Plaintiff,

vs.

PHILLIPS & COHEN

Defendant.

MOTION TO EXTEND DISCOVERY DEADLINE

1. This is a Fair Debt Collection Practices Act case.
2. Discovery closes on September 14, 2009.
3. Plaintiff alleges Defendant made phone calls to his residence, which do not appear in Defendant's records.
4. Plaintiff served Interrogatories on April 24, 2009 requesting the name of Defendant's phone carrier and account number(s).
5. Plaintiff needs this information in order to subpoena Defendant's phone records.
6. Defendant responded on August 19, 2009, refusing to provide this information.
7. Plaintiff filed a Motion to Compel on September 11, 2009.
8. If the motion is granted, Plaintiff will need thirty(30) days to schedule the records deposition of the phone carrier.
9. In addition to phone records, the parties are working on scheduling the deposition of Defendant's 30(b)(6) witness and the debt collectors who worked the

subject account. It is anticipated these depositions can be scheduled within the next few weeks.

10. Plaintiff did not want to take these depositions until he obtained Defendant's complete discovery responses. Defendant completed its discovery responses by providing its training manuals on Tuesday, September 8, 2009.

10. Discovery closes on September 14, 2009.

WHEREFORE, Plaintiff is respectfully requesting a thirty (30) day extension of the discovery deadline.

Respectfully Submitted

JEFFREY L. SUHER, P.C.

/s/ Jeffrey L. Suher
Jeffrey L. Suher, Esquire
Pa. I.D. # 74924
4328 Old Wm Penn Hwy, Ste 2J
Monroeville, PA 15146
(412) 374-9005
(412) 374-0799 (fax)
lawfirm@jeffcanhelp.com

JURY TRIAL DEMANDED